

KIRKLAND & ELLIS LLP

KIRKLAND & ELLIS INTERNATIONAL LLP

Joshua A. Sussberg, P.C. (admitted *pro hac vice*)

Emily E. Geier, P.C. (admitted *pro hac vice*)

Derek I. Hunter (admitted *pro hac vice*)

601 Lexington Avenue

New York, New York 10022

Telephone: (212) 446-4800

Facsimile: (212) 446-4900

joshua.sussberg@kirkland.com

emily.geier@kirkland.com

derek.hunter@kirkland.com

COLE SCHOTZ P.C.

Michael D. Sirota, Esq.

Warren A. Usatine, Esq.

Felice R. Yudkin, Esq.

Court Plaza North, 25 Main Street

Hackensack, New Jersey 07601

Telephone: (201) 489-3000

msirota@coleschotz.com

wusatine@coleschotz.com

fyudkin@coleschotz.com

Co-Counsel for Debtors and

Debtors in Possession

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In re:

BED BATH & BEYOND INC., *et al.*,

Debtors.¹

Chapter 11

Case No. 23-13359 (VFP)

(Jointly Administered)

NOTICE OF UNCONTESTED MATTERS PROCEEDING ON JULY 18, 2023

PLEASE TAKE NOTICE that on May 22, 2023 the United States Bankruptcy Court for the District of New Jersey (the “Court”) entered the *Order (I) Establishing Procedures to Sell Certain Leases, (II) Approving the Sale of Certain Leases, and (III) Granting Related Relief*

¹ The last four digits of Debtor Bed Bath & Beyond Inc.’s tax identification number are 0488. A complete list of the Debtors in these Chapter 11 Cases and each such Debtor’s tax identification number may be obtained on the website of the Debtors’ proposed claims and noticing agent at <https://restructuring.ra.kroll.com/bbby>. The location of Debtor Bed Bath & Beyond Inc.’s principal place of business and the Debtors’ service address in these chapter 11 cases is 650 Liberty Avenue, Union, New Jersey 07083.

[Docket No. 422] (the “Lease Sale Procedures Order”),² by which the Court, among other things, approved expedited procedures for the assumption and assignment of unexpired leases and granted related relief.

PLEASE TAKE FURTHER NOTICE that on June 27, 2023, the Debtors filed the *Notice of Successful and Backup Bidder with Respect to the Phase 1 Auction of Certain of the Debtors’ Lease Assets and Assumption and Assignment of Certain Unexpired Leases* [Docket No. 1114] (the “Notice of Successful Bidder”) which set the Lease Sale Objection deadline as July 11, 2023 at 5:00 p.m. (prevailing Eastern Time) with respect to any lease in the Phase 1 Lease Sale Process.

PLEASE TAKE FURTHER NOTICE on June 30, 2023, the Debtors filed the *Notice of Assumption of Certain Unexpired Leases* [Docket No. 1157] which set the Assumption Objection (together with the Lease Sale Objection, the “Lease Objection”) deadline as July 11, 2023 at 5:00 p.m. (prevailing Eastern Time) with respect to any lease in the Phase 1 Lease Sale Process.

PLEASE TAKE FURTHER NOTICE on July 17, 2023, the Debtors filed the *Notice of Status Conference with Respect to Assumption and Cure Objections* [Docket No. 1388], advising that the hearing scheduled for July 18, 2023, at 2:30 p.m. (prevailing Eastern Time) will go forward with respect to uncontested matters including resolved Lease Objections and will go forward solely as a status conference with respect to all other contested Lease Objections.

PLEASE TAKE FURTHER NOTICE that the identified on Exhibit A hereto³ are all uncontested matters going forward at the hearing scheduled for July 18, 2023, at 2:30 p.m. (prevailing Eastern Time).⁴

[Remainder of page intentionally left blank]

² All capitalized terms used but not otherwise defined herein shall have the meaning ascribed to them in the Lease Sale Procedures Order or the *Debtors’ Motion for Entry of an Order (I) Establishing Sales Procedures, (II) Approving the Sale of Certain Real Property and Leases, and (III) Granting Related Relief* [Docket No. 193], as applicable.

³ Matters where the only issue in dispute is the amount of the required Cure Costs may proceed tomorrow without prejudice to filed objections to Cure Costs, which objections shall be resolved by further order or agreement of the parties. Where no objection has been filed as to Cure Costs, such Cure Costs shall be fixed in the amounts set forth in the *Notice of Assumption of Certain Unexpired Leases* [Docket No. 1157] or as otherwise agreed by the parties.

⁴ The Debtors reserve the right to include additional matters that become uncontested to the list attached hereto as Exhibit A.

Dated: July 17, 2023

/s/ Michael D. Sirota

COLE SCHOTZ P.C.

Michael D. Sirota, Esq.
Warren A. Usatine, Esq.
Felice R. Yudkin, Esq.
Court Plaza North, 25 Main Street
Hackensack, New Jersey 07601
Telephone: (201) 489-3000
Email: msirota@coleschotz.com
wusatine@coleschotz.com
fyudkin@coleschotz.com

KIRKLAND & ELLIS LLP

KIRKLAND & ELLIS INTERNATIONAL LLP

Joshua A. Sussberg, P.C. (admitted *pro hac vice*)
Emily E. Geier, P.C. (admitted *pro hac vice*)
Derek I. Hunter (admitted *pro hac vice*)
601 Lexington Avenue
New York, New York 10022
Telephone: (212) 446-4800
Facsimile: (212) 446-4900
Email: joshua.sussberg@kirkland.com
emily.geier@kirkland.com
derek.hunter@kirkland.com

*Co-Counsel for Debtors and
Debtors in Possession*

Exhibit A

| No. | Store # | Banner | Location Address | Successful Bidder |
|-----|---------|--------|---|---|
| 1. | 3031 | bbBaby | 4351 Creekside Ave Hoover, AL | LL: ARC PCBIRAL001 LLC |
| 2. | 189 | BBB | 850 N. 54th Street Chandler, AZ | LL: Schnitzer Investment Corp. |
| 3. | 139 | BBB | 2120 Vista Way Oceanside, CA | LL: PREP Home Retail-Oceanside, LLC |
| 4. | 1305 | BBB | 5200 E. Ramon Rd Building B Palm Springs, CA | LL: LILAC19, LP |
| 5. | 261 | BBB | 15 Crescent Drive Pleasant Hill, CA | LL: Pleasant Hill Crescent Drive Investors, LLC |
| 6. | 3034 | bbBaby | 5353 Almaden Expr. Ste A100 San Jose, CA | LL: Almaden Shopping Center LLC |
| 7. | 497 | BBB | 1898 Jonesboro Road McDonough, GA | LL: KRG McDonough Henry Town, LLC |
| 8. | 3094 | bbBaby | 530 W. Mount Pleasant Avenue Livingston, NJ | LL: KRG Livingston Center, LLC |
| 9. | 341 | BBB | 2930 East Southlake Blvd. Southlake, TX | LL: KRG Southlake, LLC |
| 10. | 20 | BBB | 11854 West Olympic Blvd W. Los Angeles, CA | LL: KDMM LLC & ABAH LLC |
| 11. | 1321 | BBB | 800 South Camino Del Rio Durango, CO | LL: Durango Mall LLC |
| 12. | 128 | BBB | 5351 N. Airport Road Naples, FL | LL: Ridgeport Limited Partnership |
| 13. | 255 | BBB | 1705 Mall of Georgia Blvd. Buford, GA | LL: DDRTC Marketplace at Mill Creek LLC |
| 14. | 32 | BBB | 96 S. Waukegan Rd. Deerfield, IL | LL: Gateway Fairview Inc. |
| 15. | 326 | BBB | 2750 N. Greenwich Ct. Wichita, KS | LL: Greenwich Place Partners, LLC |
| 16. | 3104 | bbBaby | 2756 N. Greenwich Ct. Wichita, KS | LL: Greenwich Place Partners, LLC |
| 17. | 762 | BBB | 3301 N. US 31 South Traverse City, MI | LL: ARC BHTVCM1001 LLC |
| 18. | 756 | BBB | 5 Colby Court Bedford, NH | LL: Grove Court Shopping Center LLC |
| 19. | 3028 | bbBaby | 213 Daniel Webster Highway Nashua, NH | LL: NP Royal Ridge LLC |
| 20. | 3081 | bbBaby | 310 Rt. 36 West Long Branch, NJ | LL: Consumer Centre Paramount I LLC, Consumer Centre Paramount 2 LLC, Consumer Centre Paramount 3 LLC, Consumer Centre Paramount 4 LLC, Consumer Centre Paramount 5 LLC, Consumer Centre Paramount 6 LLC and Consumer Centre Paramount 7 LLC |
| 21. | 3128 | bbBaby | 12535 SE 82nd Ave., Suite B Clackamas, OR | LL: 12535 SE 82 nd Ave LLC |
| 22. | 337 | BBB | 490 Waterfront Drive East Homestead, PA | LL: M&J – Big Waterfront Market, LLC |
| 23. | 1327 | BBB | 500 Shoppes at Stroud Stroudsburg, PA | LL: ARG SSSTRPA0001 LLC |
| 24. | 237 | BBB | 1744 Town Centre Way Mt. Pleasant, SC | LL: CR Mount Pleasant, LLC |
| 25. | 1312 | BBB | 4610 Merchants Park Circle Suite 501 | LL: CE Collierville, LLC |
| 26. | 339 | BBB | 545 Cool Springs Blvd. Franklin, TN | LL: Thoroughbred Village, LLC |

| No. | Store # | Banner | Location Address | Successful Bidder |
|-----|---------|--------|---|--|
| 27. | 1227 | BBB | 330 Patriots Place Foxborough, MA | LL: NPP Development LLC |
| 28. | 514 | BBB | 2705 N. Mesquite Drive Mesquite, TX | LL: ARC TCMESTX001, LLC |
| 29. | 294 | BBB | 1169 Wilmington Ave Salt Lake City, UT | LL: The Commons at Sugar House, L.C. |
| 30. | 780 | BBB | 14101 Crossing Place Woodbridge, VA | LL: Parkway Crossing East Shopping Center L.P. |
| 31. | 1313 | BBB | 6400 Towne Center Loop Southaven, MS | Haverty Furniture Companies, Inc. |
| 32. | 3116 | bbBaby | 6146 Wilmington Pike Dayton, OH | Michaels Stores, Inc. |
| 33. | 3055 | bbBaby | 3250 Buskirk Ave Suite 300-A Pleasant Hill, CA | Mad Monk Holdings, LLC |
| 34. | 3097 | bbBaby | 27651 San Bernardino Avenue Redlands, CA | Barnes & Noble Booksellers, Inc. |
| 35. | 524 | BBB | 4250 Cerrillos Road, Suite 1214 Santa Fe, NM | Barnes & Noble Booksellers, Inc. |
| 36. | 433 | BBB | 200 Running Hill Road South Portland, ME | Barnes & Noble Booksellers, Inc. |
| 37. | 228 | BBB | 12309 Chenal Parkway, Suite A Little Rock, AR | Aldi Inc. |
| 38. | 178 | BBB | 2060 66th Street North St. Petersburg, FL | Haverty Furniture Companies, Inc. |
| 39. | 540 | BBB | 3555 Clares Street, Suite J Capitola, CA | Michaels Stores, Inc. |
| 40. | 3049 | bbBaby | 11350-11360 Pines Blvd Pembroke Pines, FL | Haverty Furniture Companies, Inc. |
| 41. | 127 | BBB | 5201 Stevens Creek Boulevard Santa Clara, CA | Micro Electronics |
| 42. | 1304 | BBB | 1827 NE Pine Island Road Cape Coral, FL | LL: Alto Northpoint LP |
| 43. | 27 | BBB | 2130 Marlton Pike W Suite D Cherry Hill, NJ | LL: Cherry Hill Retail Partners, LLC |
| 44. | 1403 | BBB | 6101 Long Prairie Road, Ste 200 Flower Mound, TX | Michaels Stores, Inc. |
| 45. | 3118 | bbBaby | 1660 Millenia Avenue Chula Vista, CA | Michaels Stores, Inc. |
| 46. | 3058 | bbBaby | 7621 Laguna Blvd Elk Grove, CA | LL: DS Properties 18 LP |
| 47. | 3131 | bbBaby | 8050 Concord Mills Boulevard Concord, NC | Barnes & Noble Booksellers, Inc. |
| 48. | 615 | BBB | 3417 Catclaw Drive Abilene, TX | LL: ARG SAABITX001, LLC |
| 49. | 1260 | BBB | 10433 South State Street Sandy, UT | LL: WM Acquisition Delaware, LLC |
| 50. | 1338 | BBB | 3215 Daniels Road Winter Garden, FL | Macy's Retail Holdings, LLC |
| 51. | 3112 | bbBaby | 2315 Summa Drive, Suite 120 Summerlin, NV | Michaels Stores, Inc. |
| 52. | 650 | DC | 3 Enterprise Ave. N Ste 3 Secaucus | Western Carriers, Inc. |
| 53. | 677 | DC | 2900 S. Valley Parkway Lewisville | Flexport, Inc. |